

Economic Impact Statement
LSA Document #18-160

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses**Description of the Rule Repeal**

This is a repeal of Indiana State Department of Health (ISDH) rule [410 IAC 7-25](#), the On Farm Poultry Processor Exemption. This rule is no longer necessary because the General Assembly amended the rule's authorizing statute, [IC 16-42-5-29](#), to reference statute [IC 15-17-5-11](#) as the standard for poultry products sold by home based vendors, farmers markets, or roadside stands. The newly referenced statute, [IC 15-17-5-11](#), is enforced by the Indiana State Board of Animal Health (BOAH), not the ISDH. Pursuant to this statutory change, BOAH amended [345 IAC 10](#), which now conflicts with ISDH's [410 IAC 7-25](#).

Economic Impact on Small Businesses**1. Estimate of the number of small businesses, classified by industry sector, that will be subject to the proposed rule.**

The small businesses subject to this proposed rule repeal will have less regulatory requirements because they will no longer have to comply with both ISDH's rule [410 IAC 7-25](#) and BOAH's rule [345 IAC 10](#).

2. Estimate of the average annual reporting, record keeping, and other administrative costs that small businesses will incur to comply with the proposed rule.

This a repeal of rule [410 IAC 7-25](#), the On Farm Poultry Processor Exemption. There is no annual reporting for businesses that qualify for this exemption by processing fewer than 1,000 birds per year, and there will be no reporting associated with its repeal. There will be no reporting requirements for these same businesses that continue to process fewer than 1,000 birds per year, and are now subject to BOAH's rule [345 IAC 10](#).

3. Estimate of the total annual economic impact that compliance with the proposed rule will have on all small businesses subject to the rule.

This is a repeal of [410 IAC 7-25](#). There is no economic impact from the repeal. Producers will remain under BOAH's regulatory authority, rule [345 IAC 10](#), and remain exempt from licensing by the ISDH and local health departments.

4. Statement justifying any requirement or cost that is imposed on small businesses by the rule; and not expressly required by the statute authorizing the agency to adopt the rule; or any other state or federal law.

There are not any requirements or costs expressly or otherwise imposed on small businesses as a result of repealing rule [410 IAC 7-25](#).

5. Regulatory Flexibility Analysis

The intent of repealing rule [410 IAC 7-25](#) is to reduce superfluous, burdensome regulations on local food producers.

Conclusion

Repeal of [410 IAC 7-25](#), the On Farm Poultry Processor Exemption, will not have an economic impact on small poultry businesses. It was replaced by BOAH's rule [345 IAC 10](#).

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